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Immediate Release

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Environment Department Settles Alleged Air Violations With City of Clovis; City to Improve Local Environment Through Projects

(Santa Fe, NM) — The New Mexico Environment Department (NMED) has entered into a settlement agreement with the City of Clovis to resolve alleged air violations at the city's Clovis Regional Landfill located in Curry County.

As a part of the settlement, the city has agreed to pave the landfill's perimeter road. Paving the landfill road will reduce dust emissions and better protect the health of local residents from particulate matter in the air. The city has also agreed to complete a supplemental environmental project (SEP) at a cost of no less than \$13,300. The SEP will be proposed by the city to NMED for approval within the next six months. It could be a similar paving project or another undertaking that will improve the local environment. The city has also paid NMED a civil penalty of \$2,625 to resolve these alleged violations.

"This is a good deal for the state, for the city and for the people of Curry County," said NMED Secretary Ron Curry. "What this Department tries to do, above all else, is protect and improve our environment. This agreement will lead to cleaner air for the people of Clovis."

This agreement settles issues raised by a November 2003 notice of violation. In this enforcement action, the Department found that the city violated state air regulations and its state issued permit. Alleged violations included failure to submit monitoring and compliance certification reports and failure to record the date and frequency of water usage.

"As the agreement states, the City does not agree with any of these violations," said City Commissioner Catherine Haynes. "We feel there was miscommunication with NMED in the past. That said, we really appreciate the professionalism Secretary Curry and his staff have shown us on this matter. We feel they are being generous and allowing us to focus on benefits to the community instead of heavy fines."

Under the agreement the city will pave the landfill perimeter road by September 1, 2004. The city will also submit its SEP proposal for NMED approval within the next six months. Once approved the city will be given approximately 42 months to complete this project. During this time the city will submit implementation reports to NMED every 180 days until the project is completed.

Deadlines in this agreement are enforced with stipulated penalties of \$500 per day.

For further information contact Jon Goldstein, Communications Director, NMED at (505) 827-0314.

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